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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER LEROY PETERSON

CIVIL ACTION NO. 1:CV-01-0972

Plaintiff

(Judge Kane)

v.

(Magistrate Judge Blewitt)

SCI CAMP HILL

Defendant

FILED
HARRISBURG, PA

DEC 11 2001

MARY E. D'ANDREA, CLERK

PER
DEPUTY CLERK

O R D E R

Before the court in the captioned action is a November 8, 2001 report of the magistrate judge recommending that the Defendant's motion to dismiss the complaint be granted. It is further recommended that the Plaintiff be afforded the opportunity to amend his complaint and that the matter be remanded to the Magistrate Judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The court adopts the report and recommendation of Magistrate Judge Blewitt.
- 2) The Defendant's Motion to Dismiss the Complaint (Doc. 2) is **GRANTED**.
- 3) The Plaintiff may file an amended complaint within thirty (30) days of the date of this order.
- 4) The matter is remanded back to Magistrate Judge Blewitt.

Carried from the record

12-11-01
Mary E. D'Andrea, Clerk

George L. Gardner
Deputy Clerk



YVETTE KANE
United States District Judge

Dated: December 8, 2001.